

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES BATES #337711,
Plaintiff,

v.

Civil Action No.: 15-10109
Honorable Patrick J. Duggan
Magistrate Judge Elizabeth A. Stafford

O'BELL WINN, *et al.*,

Defendants.

_____ /

**ORDER TO PROVIDE CORRECT NAME
AND ADDRESS OF JOHN DOE DEFENDANTS**

On October 27, 2014, plaintiff James Bates, a prisoner proceeding *pro se*, commenced the instant case against defendants Michigan Department of Corrections ("MDOC") Inspector James Roth and Acting Warden O'Bell Winn, as well as two unidentified MDOC health care staff, alleging violations of his Eighth Amendment rights. In April 2015, defendants Roth and Winn moved for summary judgment on Bates's claims against them, motions this Court recommended granting on September 1, 2015.

Two unidentified health care staff members, currently listed in the case as "John Doe," remain in the case. To date, neither John Doe defendant has been identified or served.

An inmate bringing a civil rights complaint must specifically identify

each defendant against whom relief is sought, and must give each defendant notice of the action by serving on him or her with a summons and copy of the complaint. Where, as here, a plaintiff is proceeding without having to prepay the filing fee, the district court bears the responsibility for issuing the plaintiff's process to a United States Marshal, who must effectuate service on the defendants once the plaintiff has properly identified them in the complaint.

As it stands, the Court is unable to serve the two remaining unidentified defendants in this case. Accordingly, Bates **IS ORDERED** to provide the Court with the full name address of each John Doe defendant by **September 21, 2015**, so that summons may be issued and service be effectuated. Failure to do so may result in this Court's issuance of an Order to Show Cause as to why this action, as against these defendants, should not be dismissed for want of prosecution pursuant to Fed. R. Civ. P. 41(a).

IT IS SO ORDERED.

Dated: September 1, 2015
Ann Arbor, Michigan

s/Elizabeth A. Stafford
ELIZABETH A. STAFFORD
United States Magistrate Judge

NOTICE TO THE PARTIES REGARDING OBJECTIONS

The parties' attention is drawn to Fed. R. Civ. P. 72(a), which provides a period of fourteen (14) days from the date of receipt of a copy of this order within which to file objections for consideration by the district judge under 28 U.S. C. §636(b)(1).

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record via email addresses the court has on file.

s/Marlina Williams
MARLENA WILLIAMS
Case Manager

Dated: September 1, 2015